



SECTOR #

Box 500

PATENT

Our Docket: P-IU 3446

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re application of:
WELCH AND BARBER

Serial No.: 09/438,917

Filed: November 12, 1999

For: TUMOR SUPPRESSOR
MOLECULES AND METHODS OF
USEAttention Box Missing Parts
Asst. Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 1644

Examiner: Not Yet Assigned

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to: Assistant
Commissioner for Patents, Attention Box
Missing Parts, Washington, D.C., 20231,
on January 13, 2000.By: Melanie K. Webster
Melanie K. Webster, Reg. No. 45,201January 13, 2000
Date of Signature**MISSING PARTS TRANSMITTAL**

Dear Sir:

In response to the Notice to File Missing Parts, Filing
Date Granted, mailed December 28, 1999, and the Notice to Comply
with Requirements for Patent Applications Containing Nucleotide
Sequence and/or Amino Acid Sequences Disclosures mailed
December 28, 1999, enclosed are:

- X 1. A copy of the Notice to File Missing Parts.
- X 2. A copy of the Notice to Comply with Requirements for
Patent Applications Containing Nucleotide Sequence
and/or Amino Acid Sequences Disclosures.
- X 3. An executed Declaration for Patent Application.
- X 4. A Recordation Form Cover Sheet and an executed
Assignment.
- X 5. An executed Verified Statement (Declaration) Claiming
Small Entity Status.
- X 6. An executed Power of Attorney for Patent Application by
Assignee.
- X 7. A Statement Under 37 C.F.R. §3.73(b).
- X 8. Paper copy of sequence listing, Pages 1 through 12.
- X 9. Statement Under 37 C.F.R. § 1.821(f) and (g).
- X 10. Sequence listing in computer readable form.
- X 11. Correction of Filing Receipt with Exhibits A, B and C.

The filing fee has been calculated as shown below:

	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	14-20	=	0	x	\$9	\$18	= \$0	\$
INDEPENDENT CLAIMS	6-3	=	3	x	\$39	\$78	= \$117	\$
MULTIPLE DEPENDENT CLAIMS PRESENTED: <u> x </u> YES <u> </u> NO					\$130	\$260	= \$130	\$
					BASIC FEE		\$345	\$690
					TOTAL FEE		\$592	

Inventors: Welch and Barber
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- ☒ 12. A check in the amount of **\$697.00** to cover the filing fee of \$592.00, the surcharge fee of \$65.00, and \$40.00 for recording an Assignment for the application is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted

January 13, 2000
Date

By: Melanie K. Webster
Melanie K. Webster
Reg. No. 45,201

CAMPBELL & FLORES LLP
4370 La Jolla Village Drive, Suite 700
San Diego, California 92122
Telephone: (858) 535-9001



#3



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/428,917

11/12/99

WELCH

P

P-IU-3446

0242/1228

CATHRYN CAMPBELL
CAMPBELL & FLORES LLP
4370 LA JOLLA VILLAGE DRIVE
7TH FLOOR
SAN DIEGO CA 92122

NOT ASSIGNED

Response due
228 00

1644

DATE MAILED:

12/28/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1384.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ 234 for 3 independent claims over 3.

\$ 260 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

01/21/2000 ZABDALLA 00000075 09438917

01 FC:201

380.00 OP

02 FC:205

65.00 OP

03 FC:202

117.00 OP

04 FC:204

130.00 OP

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

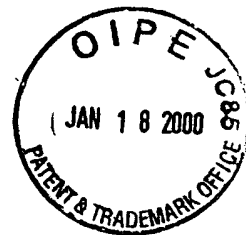


A Statement Under 37 C.F.R.
§3.73(b)
P-IU 3446
Serial No.: 09/438,917

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Attention Box Missing Parts, Washington, D.C. 20231, on January 13, 2000.

By Melanie K. Webster
Melanie K. Webster, Reg. No. 45,201

January 13, 2000
Date of Signature



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: TUMOR SUPPRESSOR MOLECULES AND METHODS
OF USE

Application Ser. No.: 09/438,917

Filed: November 12, 1999

Inventor(s): Peter J. Welch and Jack R. Barber


Attorney Docket No.: P-IU 3446

IMMUSOL INCORPORATED, a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

IMMUSOL INCORPORATED

Date: December 16, 1999

Signature: 

Name: Suzanne L. Zebedee, Ph.D.

Title: Vice President, Business Development